

## PROTEST RUSSIA HEHEDED.

SECRETARY HAY'S VIGOROUS NOTE ON CONTRABAND.

Refusal to Accept Russian Ruling, Which Was a Menace to Legitimate American Commerce—Firm Stand Taken for the Rights of a Neutral Nation.

WASHINGTON, Sept. 20.—Russia's recognition of the United States position on the distinction between absolute and conditional contraband of war followed a vigorous protest which Secretary Hay, on Aug. 30, made against the Russian decision in the case of the cargo of the seized steamer Arabia. The protest was sent to Ambassador McCormick at St. Petersburg, who communicated it to Count Lamsdorff, the Russian Minister of Foreign Affairs.

The protest was an emphatic and unqualified condemnation of Russia's attitude, accompanied by an expression of regret and concern for the position she had taken.

The Vladivostok prize court's ruling in the Arabia case was communicated by Count Lamsdorff to Ambassador McCormick on July 27. With it was Count Lamsdorff's answer to the request of the United States for the release of the non-contraband part of the Arabia's cargo. This answer was to the effect that the question could only be decided through judicial channels on the basis of the prize court's decision.

Secretary Hay, after remarking that the confiscation appears to have been founded on the mere fact that the goods were consigned to commercial houses in Japanese ports, said that in view of its well known attitude it was hardly necessary to say that the Government of the United States was unable to admit the validity of a judgment which appeared to have been rendered in disregard of the settled law of nations respecting contraband.

Mr. Hay recited the clauses of the Russian order of Feb. 29, denouncing telegraph, telephone and railway materials, rice, provisions, etc., as contraband, and remarked upon the ambiguity of the language of the order, especially as to whether the word enemy in the order meant the Government and forces of the ports and territory of Japan. The very obscurity of the terms used seemed to contain a destructive menace to legitimate American commerce.

In the circular of the United States of June 10 the State Department interpreted the word enemy in a mitigated sense in accordance with the enlightened human principles of international law, namely, meaning the Government and forces, and a benign interpretation was placed on the language used it was because such an interpretation was due to the Russian Government, between whom and the United States a most valued and unbroken friendship has always existed, and it was no less due to the commerce of the latter, inasmuch as a broad interpretation would have implied a total inhibition of legitimate commerce between Japan and the United States, in which it would be impossible for the latter to acquiesce.

Whatever doubt could have existed in regard to the meaning of the imperial order was apparently removed by Count Lamsdorff's note, stating tersely and simply the sentence of the prize court. It was impossible for the United States to accept this as indicating either a principle of law or policy which a belligerent State may lawfully enforce or pursue toward the United States as a neutral.

Further reviewing Russia's action in declaring contraband telegraphic, telephonic and railway materials, Secretary Hay declared that the United States could not concede that they could be confiscated merely because they were consigned to the open ports of a belligerent. He proceeded to insist that when war exists between powerful States it is vital to the legitimate commerce of neutrals that there be no relaxation of the rule determining what is contraband, and pointed out that articles of ordinary innocent, but capable of warlike use, are not liable to confiscation unless it is proved that they are destined for the forces of a belligerent.

This substantive principle of the law of nations cannot be overridden by a technical rule of a prize court that the owners of a cargo must prove that it will not eventually come to the hands of an enemy's forces. Such proof is impossible, and the absence of it cannot justify a seizure. If it were otherwise, all neutral commerce with the people of a belligerent State would be impossible. The innocent would suffer inevitable condemnation with the guilty. The established principle of discrimination between contraband and non-contraband must either be inflexibly adhered to or abandoned by all nations. There is and can be no middle ground.

Continuing, Secretary Hay said: "If the principle declared by the Vladivostok prize court, which has so far been disavowed or explained by his Imperial Majesty's Government, is acquiesced in it will mean, if carried to full execution, the complete destruction of all neutral commerce with the non-combatant population of Japan. It would render meaningless the principle of the declaration of Paris, set forth in the imperial order of Feb. 29, that a blockade in order to be obligatory must be effective. It would obliterate all distinction between commerce in contraband and non-contraband goods, and is in effect a declaration of war against commerce of every description between the people of a neutral and those of a belligerent State."

Mr. Hay concluded by directing Mr. McCormick to express to Count Lamsdorff the deep regret and grave concern with which the Government of the United States has received his unqualified communication of the decision of the prize court. You will make an earnest protest against it, and say that the Government of the United States regrets its complete inability to recognize the principle of that decision, still less to acquiesce in it as a policy.

Ambassador McCormick notified the State Department yesterday that the Russian Government had practically reversed its position, admitting the conditionally contraband character of articles having a dual use—articles which might or might not be used by a belligerent, directly or indirectly, for military purposes. If such articles of a dual use are consigned to private persons or firms in Japan, they are not in the future to be subject to confiscation unless it can be shown by the Russian Government that the private persons or firms concerned are acting as agents or representatives of the Japanese military or naval authorities.

## PORT ARTHUR FIGHT RENEWED

JAPS IN LAND AND SEA ATTACK TO CAPTURE FORTS.

Two Reported Taken—Russian Commander Reports Garrison in Good Spirits—Says Enemy Has Lost Heavily—Reinforcements Reach Army at Mukden.

Cash Lost in a Street Car Recovered—Negro Showed \$1,000 Note.

KANSAS CITY, Mo., Sept. 20.—T. S. Hill, Kansas City manager of the Southwestern Mercantile Company's retail store at Corcoran, N. M., reported to the police yesterday that he lost a package Sunday evening on a Fifth street car containing \$7,250. Detectives Phelan and McCosgrove were assigned to the case by Inspector Halpin and last night arrested Ben Vaughan, a negro living in the rear of 1616 Washington street, and a negro woman, Cora Fields, on suspicion of knowing something about the money.

The money consisted of two \$1,000 notes, a \$500 note and a draft for \$4,750. Vaughan admitted finding the money on the car. The money was dug up this afternoon by a detective in an ash heap in an alley in the rear of the Washington street house, where Vaughan had buried it. In his excitement after his arrest Vaughan could not remember where he hid the money and supposed that another negro had seen him bury it and had taken it.

Vaughan said he threw away the draft. Vaughan displayed a \$1,000 note and a \$500 note in a saloon. This led to his arrest.

LOCKOUT IN ERIE SHOPS.

Boilermakers and Helpers Discharged—New Workers Under Guard.

BINGHAMTON, Sept. 20.—The Erie officials locked out to-day all the boilermakers and helpers at the locomotive shops at Susquehanna, Pa. 250 men in all, and installed two carloads of men in their stead.

A boarding house has been established in the shops, and the men are guarded day and night by armed railroad detectives. For some weeks the Erie officials have been placing bunks, stoves and provisions in the shops.

When the men came to work this morning they found a notice posted on the door stating that their services were no longer required and that they would be paid off at 8 o'clock. The men went quietly to their homes and a union meeting was called.

It is feared that this lockout will eventually affect every department. The Erie has been antagonistic to union labor in the locomotive shops and has discharged the leaders in the union movement, giving as the reason that they were agitators.

EIGHT HURT IN AUTO WRECK.

Chicago Smash-up to Avoid Hitting a Man—New Yorkers Injured.

CHICAGO, Sept. 20.—Miss Cora E. Scott, niece of Robert S. Scott, New York, who was driving a motor car, was injured seriously in an automobile accident early this morning. In the automobile were eight persons, all of whom were badly bruised.

In the party were Mrs. William Douglas Klose, 5042 Washington Park place; Miss Helen Davies of New York, niece of E. G. Davies and fiancée of L. T. Laflin of New York; L. C. Murphy, theatrical manager of Boston, Dr. Reginald Smith of New York, surgeon at Bellevue Hospital; Miss Grace Bowen, 2828 Lake Park avenue; Miss Zala Terry of Peoria, guest of Miss Grace Bowen; Miss Helen Reidy of St. Louis.

In trying to avoid striking a pedestrian the automobile was turned sharply and in so doing struck a line of horse-drawn carriages, which crashed into the curb, where it was completely wrecked.

THREE MEN MURDERED.

Their Bodies Found in a Swamp in a Desolate Illinois Region.

ST. LOUIS, Ill., Sept. 20.—The discovery in the Meridocia swamp to-day of three men who had been murdered and thrown into the swamp has added to the excitement following the fatal shootings in this part of the State and the death of Mayor W. S. Bennett of Thomson and George Gaynor of Steward, who were killed by hold-up men.

The Meridocia swamp is twenty-eight miles southwest of this city, and is the most desolate place in the State. From information so far received, it is believed the men murdered were transients.

SUBWAY'S STORY IN BRONZE.

To Be Put in the City Hall Station Wall—Plaster Models for Opening Day.

Outson Borglum has completed the plaster models of three tablets ordered by the Rapid Transit Commission for the City Hall station, and the models, which are to be done in bronze, were exhibited in the sculptor's studio, in East Thirty-eighth street, yesterday.

The tablets, of a deep greenish shade of bronze, will be set in the wall facing Broadway. The central tablet is 15 feet long by 10 feet high and elliptical in shape. It bears the inscription:

First Municipal Rapid Transit Railroad, suggested by the Chamber of Commerce, authorized by the State, constructed by the city.

Below the inscription follow the names of Mayors Van Wyck, Low and McClellan and Comptrollers Coker and Groot. To the right are the names of Chief Engineer Parsons, Counselor Edward M. Shepard, and Albert B. Boardman and other officers. The names of the Rapid Transit Commissioners occupy the lower right corner of the tablet. The seal of the city is fringed with oak leaves and myrtle, is at the top, and the seals of the State and of the Chamber of Commerce rise above the left and right borders of the tablet, which is fringed with laurel.

The ornamental octagonal tablet at the left of the central tablet bears the names of the Interborough Rapid Transit Company's officials, while that at the right bears the names of the chief Engineer's staff and of the designers of the tablets, George L. Heins and Grant La Farge. Both are 9 feet long and 3 feet high.

The bronze tablets will not be completed in time for the opening of the subway, so the sculptor has been ordered to prepare plaster replicas for temporary use.

Battle Fleet Again Reported Out.

Special Cable Dispatch to THE SUN.

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## EX-JUDGE LEARNED FOUND DEAD

Served Many Years on the Supreme Court Bench, Succeeding Justice Peckham.

ALBANY, Sept. 20.—Ex-Supreme Court Justice William L. Learned, for years the presiding Justice of the old General Term of the Third Judicial District, was found dead here to-day while seated at his desk in his law office on State street.

Although 83 years old, Justice Learned had kept up his active professional practice and was apparently in the best of health when he arrived from Selkirk, his summer home, a few miles from this city, this morning. When discovered he had been dead for an hour or more. Death was probably due to heart failure.

Justice Learned was born in New London, Conn., and was graduated from Yale in 1841. He settled in Albany, and in 1870 was appointed by Gov. Hoffman as Justice of the Supreme Court to fill the vacancy caused by the elevation of Justice Rufus W. Peckham, father of Judge Peckham of the United States Supreme Court. He was actively identified with the educational interests of Albany.

He was twice married and is survived by his second wife and by one daughter, the wife of Brig.-Gen. John H. Patterson, U. S. A., retired.

SISTERS DIE ON TRACK.

They Lie Down Together in Ohio to Be Killed by a Train.

TOLEDO, Ohio, Sept. 20.—Mary and Lizzie Keherer, sisters and unmarried, who lived alone in a little farm five miles south of Bucyrus, committed suicide late last night by lying down in front of a passenger train on the Ohio Central Railroad.

The women left the house and walked down the track to a curve. Each carried a bedspread. Wrapping themselves in these they lay down upon the tracks. Their mutilated bodies were found by the section men on going to work this morning. They had been dead for some time and had several times intimated they wished that they were dead. They were nearly 50 years old.

HELD AS A BOMB THROWER.

Italian to Answer for Second Degree Murder for Killing Two Persons.

CLEVELAND, Sept. 20.—Anthony Arcangelo was arrested last night and arraigned before Judge Elder to-day on a charge of murder in the second degree in connection with the bomb explosion which killed a man and a boy at the Italian celebration on Sunday night, on Woodland Hills avenue. His case was continued. He entered a plea of not guilty. Bail was fixed at \$10,000.

Arcangelo is said to have given the police the names of two other men, whom the police were looking for. Several large percussion caps resembling the one found at the scene of the explosion were found at Arcangelo's home, the officers say, with several crude bombs.

DESERTING ZION CITY.

Thirty Disciples of Dowie Unable to Approve of His Apostasy.

WAUKEGAN, Ill., Sept. 20.—About thirty former disciples of John Alexander Dowie refused to approve the Prophet's fancy new robes and white socks and are going back home in anger. Most of them left Zion City last night and this morning, after Dowie and his chief lieutenants had gone to Ben Macphail to rest after the fatigues of a recent apostasy.

The apostates, as Dowie calls them, are mostly Oregonians leaving for Seattle and Portland. A few are Californians, and some will sail for Australia. There are still others discontented in the Zion camp.

PAUL LAURENCE DUNBAR ILL.

Noted Negro Poet in a Critical Condition in His Old Home.

DAYTON, Ohio, Sept. 20.—Paul Laurence Dunbar, the well known negro poet, is in a critical condition. He has consumption of the lungs and is at the home of his mother in this city. It is said that his physicians have given him only one month to live.

On May 2 Mr. Dunbar, who is a poet, a humorist in New York and it developed into tubercular trouble. He was born in this city in 1872 and was educated in the public schools.

4 KILLED FAR UNDERGROUND.

Slab of Iron Ore Falls Upon Miners—Three Injured.

MORRISTOWN, N. J., Sept. 20.—A slab of iron ore fell in the old Andover mines at Hibernia this morning and killed four miners. Three others were injured, one of whom will die. The men were Slavs and had been in this country but a month. They were working 1,800 feet underground when the accident happened.

DIED WATCHING A PLAY.

Mrs. Marshall Wanted to Rescue the Heroine and Fell Dead as She Arose.

INDIANAPOLIS, Sept. 20.—Mrs. Brutus Marshall, one of the best known women in Logansport society, attended the theatre last night to see the melodrama "Why Girls Leave Home" being presented. She seemed deeply interested in the performance from the first, and as the play advanced to the third act Mrs. Marshall seemed to be under a great nervous strain.

With a cry of distress Mrs. Marshall got up from her seat and was starting to the stage to rescue the heroine when she was seen to swoon, look dead for a moment, and with her hand pressed to her heart, sink to the floor. It was thought that she had fainted, but when friends went to her assistance she was dead.

The autopsy to-day showed that she had died of heart disease and that in her nervous and excited condition all that was going on on the stage was real to her, and she was wrought up that she started to rescue the heroine from the peril that seemed to confront her.

LAWYER DIES IN COURT HOUSE.

Fell Lifeless Going Down Stairs With His Client, After Arguing Case.

After arguing a case before Surrogate Fitzgerald yesterday morning, Francis Driscoll, a lawyer, employed in the office of Daniel F. Cahalan, 271 Broadway, fell dead while going down stairs in the County Court House. He was talking with his client, Mrs. Bridget Cowan, of 260 East Fifty-fifth street, when he fell against the railing at the second floor and died.

The dead man was from Albany and was a brother of the Rev. Father Driscoll of Fondra.

Burnett's Vanilla Extract is sold by all the best grocers everywhere, try it.

## NO CANDIDATE YET

Democratic Leaders Talk Till 1:30 A. M. Without Result.

GEORGE HALL, DARK HORSE

Hill and McCarren Stand by Groot—Murphy Objects.

The Albany County Delegation Favor the Brooklyn Man, but Efforts to Win Tammany Over Prove Unavailing—Western Delegates Meet and Declare for McClellan—Palmer and Herick Booms Fall for the Wayside—Hill Men Urge Later for Court of Appeals, Knowing He Can't Have It—Guggenheimer Talked Off for a Place on Ticket.

SARATOGA, Sept. 21, 1:35 A. M.—The conference in ex-Senator Murphy's rooms in the Grand Union Hotel, which was called to agree on a candidate for the Democratic nomination for Governor and which began at 11 o'clock last night, broke up at 1:30 this morning.

William F. Sheehan said: "We have adjourned to 9 o'clock in the morning. No result has been reached."

Senator Murphy, Charles F. Murphy, Mr. Hill, Senator McCarren and others made similar statements.

SARATOGA, Sept. 21.—At a conference of Democratic leaders, which began at 11 o'clock last night and lasted well into the morning, an effort was made to settle on a candidate for Governor.

The conference was held in the rooms of ex-United States Senator Murphy in the Grand Union Hotel. The others present at the conference were Mr. Sheehan, Charles F. Murphy, Joseph Cassidy, president of the borough of Queens; Norman E. Mack, William S. Rodie and Cord Meyer, chairman of the State committee.

The object of the meeting was either to overcome the opposition of Mr. Murphy to Comptroller Edward M. Groot, whose nomination Hill and the Albany men had favored, or to select a candidate on whom all could agree.

The Tammany leader put up the stoutest objections to Groot's nomination. He declared that it would be unwise policy for the Democrats of this convention to nominate a man from below the Bronx line. He deprecated the jamming of Groot down the throats of the 105 delegates from New York county. He protested vigorously against Groot's nomination. He declared that an up-State Democrat should be nominated.

While the deliberations were going on there came out of the conference room the report that because of the fierce fight between the factions in Greater New York the disposition was to declare for an up-State Democrat, and that George Hall, ex-Mayor of Ogdensburg, would make a candidate for Governor around whom all the Democratic factions could cluster. Mr. Hall is a well known business man of Ogdensburg, and has a clean record as a Democrat and as a man.

Those who spoke of Mr. Hall declared that he could make a strong campaign and that his candidacy would appeal to Democrats of all sorts and conditions, and especially to the upright business men in the State.

JOHN MURPHY AGAINST GROOT.

Mr. Murphy of Tammany Hall, in declaring his opposition to Groot's nomination in the conference because Groot would be considered a factional candidate, found responsive chords from Mr. Sheehan, Cord Meyer and others, and some did tonight the "Johns" and a hearty accord on this matter with Mr. Sheehan and Mr. Meyer. The smashing of the Groot boom in the conference was one of the most interesting features of the night.

The fact that Mr. Hill and Mr. McCarren did not attend the conference led many to assert that Mr. Hill and Mr. McCarren had the situation well in hand and would force Groot's nomination. This was not accepted to be true by those on the inside. Mr. Murphy of Tammany stood hard and fast for the nomination of an up-State Democrat and in this matter Mr. Sheehan and Mr. Meyer were strongly inclined to agree with him.

CALL ON HILL TO JOIN CONFERENCE.

Cord Meyer and ex-Senator Murphy left the conference at midnight and visited Mr. Hill and Mr. McCarren and informed them of the Tammany chieftain's objections to Mr. Groot and that Mr. Murphy insisted upon an up-State man. August Belmont joined the conference in ex-Senator Murphy's room. Mr. Belmont has favored the nomination of Groot.

The ex-Senator insisted that Mr. Hill should attend the conference and listen to the Tammany chieftain's objections to Groot, and Mr. Hill cheerfully acceded to the Tammany chieftain's wishes.

At 12:45 this morning Senator McCarren and George Foster Peabody joined the conference in Senator Murphy's room and Mr. McCarren was made acquainted with Tammany Chieftain Murphy's objections to Groot and with the fact that the majority of the conferees favored an up-State man. Senator McCarren stoutly insisted on Groot's nomination.

END OF THE PALMER BOOM.

SARATOGA, Sept. 20.—All day the Democrats have swung their tomahawks and tomahawks in the booms of their friends. Immediately after breakfast this morning the Democrats who believe in harmony, even if they have to fight it, scuttled the boom of George M. Palmer of Schoharie.

They said that Mr. Palmer was a nice, amiable gentleman, brown eyed and very agreeable to meet, and while strong enough physically and mentally, he was without the courage necessary for the Democratic candidate for Governor in this campaign. As a matter of fact the Democrats are looking for a man of sand in order that he may go upon the stump and attack Odellism all over the State.

THE TOMAHAWKERS GOT TO WORK ON JUSTICE HERICK'S BOOM.

The tomahawkers got to work on Justice Herick's boom. Justice Herick lives in Albany county, which has been the seat of war between David B. Hill and Justice Herick for a dozen years. The county invariably was Democratic until Mr. Hill moved to it from Elmira in 1892. From time immemorial before that Justice Herick had been the Democratic leader of the county. He was a Cleveland Democrat, a Manning Democrat, a Tilden Democrat and has always been an anti-Hill Democrat.

Justice Herick's followers in the county resented Mr. Hill's notion that he was to become the leader of the county just because he had been twice Governor of the State and because he was senior United States Senator. He, the time, Justice Herick's friends, in other words, looked upon Mr. Hill as a carpetbagger, and from that time to this very day the Democrats of the county have been divided between the Hill faction and the Herick faction, with the usual result that the Republicans have won in the city and county ever since, with the exception of 1898, when Augustus Van Wyck, a Democratic candidate for Governor, carried it.

It should be recalled right here, though, that Justice Van Wyck was nominated for Governor that year in a Democratic convention which was controlled by a combination of Richard Croker, Hugh McLaughlin, Edward Murphy, Jr., and the Erie county Democrats, whereas Mr. Hill stood alone in the convention for the nomination of John B. Stuyvesant.

So seriously has Justice Herick's organization in Albany county been disintegrated by the factional disturbances that eighty-four of Justice Herick's own political workers are now on the Republican payroll of the county, in Federal and State places, put there by Uncle William Barnes, Jr., chairman of the Republican executive State committee.

THE DEMOCRATIC LEADER OF ALBANY COUNTY IS EUGENE D. WOOD. People out West and down South have read that David B. Hill is the Democratic leader of the county. As a matter of fact Mr. Hill could not go as a delegate to a State convention or as a delegate to a national convention of his party without the say so of Mr. Wood. Some folks have said that "Packer" McCabe is the Democratic leader of the county. That is as untrue as the statement of Mr. Hill's leadership of the county. Mr. Wood is the real, live, simple, pure Democratic leader of the county.

He does not like Justice Herick a little bit. The feeling between Mr. Wood and Justice Herick has been bitter in the extreme, and of course Mr. Hill has been with it, although for that matter Mr. Hill did not require much stimulus for his opposition to Justice Herick. There are twelve delegates from Albany county to this State convention, and every man Jack of them, including Mr. Hill, is controlled by Mr. Wood.

The Albany county delegation, by the action of Mr. Wood, held a meeting to-day and, while not saying a word against Justice Herick as a candidate for Governor, announced that the delegation was solidly for Justice Herick for Chief Judge of the Court of Appeals. There is humor in this statement for the reason that from the present outlook there is no possibility that Justice Herick can be nominated for Chief Judge of the Court of Appeals.

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The object of the meeting was either to overcome the opposition of Mr. Murphy to Comptroller Edward M. Groot, whose nomination Hill and the Albany men had favored, or to select a candidate on whom all could agree.

The Tammany leader put up the stoutest objections to Groot's nomination. He declared that it would be unwise policy for the Democrats of this convention to nominate a man from below the Bronx line. He deprecated the jamming of Groot down the throats of the 105 delegates from New York county. He protested vigorously against Groot's nomination. He declared that an up-State Democrat should be nominated.

While the deliberations were going on there came out of the conference room the report that because of the fierce fight between the factions in Greater New York the disposition was to declare for an up-State Democrat, and that George Hall, ex-Mayor of Ogdensburg, would make a candidate for Governor around whom all the Democratic factions could cluster. Mr. Hall is a well known business man of Ogdensburg, and has a clean record as a Democrat and as a man.

Those who spoke of Mr. Hall declared that he could make a strong campaign and that his candidacy would appeal to Democrats of all sorts and conditions, and especially to the upright business men in the State.

JOHN MURPHY AGAINST GROOT.

Mr. Murphy of Tammany Hall, in declaring his opposition to Groot's nomination in the conference because Groot would be considered a factional candidate, found responsive chords from Mr. Sheehan, Cord Meyer and others, and some did tonight the "Johns" and a hearty accord on this matter with Mr. Sheehan and Mr. Meyer. The smashing of the Groot boom in the conference was one of the most interesting features of the night.

The fact that Mr. Hill and Mr. McCarren did not attend the conference led many to assert that Mr. Hill and Mr. McCarren had the situation well in hand and would force Groot's nomination. This was not accepted to be true by those on the inside. Mr. Murphy of Tammany stood hard and fast for the nomination of an up-State Democrat and in this matter Mr. Sheehan and Mr. Meyer were strongly inclined to agree with him.

CALL ON HILL TO JOIN CONFERENCE.

Cord Meyer and ex-Senator Murphy left the conference at midnight and visited Mr. Hill and Mr. McCarren and informed them of the Tammany chieftain's objections to Mr. Groot and that Mr. Murphy insisted upon an up-State man. August Belmont joined the conference in ex-Senator Murphy's room. Mr. Belmont has favored the nomination of Groot.

The ex-Senator insisted that Mr. Hill should attend the conference and listen to the Tammany chieftain's objections to Groot, and Mr. Hill cheerfully acceded to the Tammany chieftain's wishes.

At 12:45 this morning Senator McCarren and George Foster Peabody joined the conference in Senator Murphy's room and Mr. McCarren was made acquainted with Tammany Chieftain Murphy's objections to Groot and with the fact that the majority of the conferees favored an up-State man. Senator McCarren stoutly insisted on Groot's nomination.

END OF THE PALMER BOOM.

SARATOGA, Sept. 20.—All day the Democrats have swung their tomahawks and tomahawks in the booms of their friends. Immediately after breakfast this morning the Democrats who believe in harmony, even if they have to fight it, scuttled the boom of George M. Palmer of Schoharie.

They said that Mr. Palmer was a nice, amiable gentleman, brown eyed and very agreeable to meet, and while strong enough physically and mentally, he was without the courage necessary for the Democratic candidate for Governor in this campaign. As a matter of fact the Democrats are looking for a man of sand in order that he may go upon the stump and attack Odellism all over the State.